



Express Mail No. EV475143281US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT APPLICATION

Applicants:	Max Aebi et al.	Confirmation No.:	3676
Application No.:	10/538,542		
Int'l Appln. No.:	PCT/CH02/00706	I.A. Filing Date:	December 17, 2002
For:	INTERVERTEBRAL IMPLANT COMPRISING JOINT PARTS THAT ARE MOUNTED TO FORM A UNIVERSAL JOINT	Attorney Docket:	8932-1181-999 (new) (formerly LUS-16099)

New York, New York 10017
September 22, 2006

Attention: PCT Legal Staff
Mail Stop PCT
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REPLY TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. § 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

Sir:

In reply to the Notification Of Missing Requirements Under 35 U.S.C. § 371

mailed November 25, 2005, applicants hereby submit the following:

1. A copy of the November 25, 2005 Notification Of Missing Requirements

Under 35 U.S.C. § 371;

2. A copy of a partially-executed Declaration, all inventors except one having

signed;

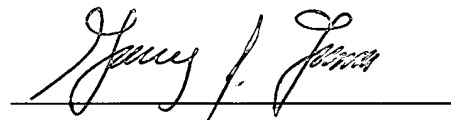
3. A Petition For Filing By Other Than All Inventors Under 37 C.F.R. § 1.47(a), a First Statement Of Facts with attached Exhibits A and B, and a Second Statement Of Facts with attached Exhibits 1-5; and
4. A Second Preliminary Amendment.

Please change the Attorney Docket No. for this application from "LUS-16099" to -- 8932-1181-999 --.

A Petition For Revival Of An International Application is being filed concurrently herewith and, pursuant to MPEP § 711.03(c)(II)(A), a "petition for an extension of time under 37 C.F.R. § 1.136 and a fee for such an extension of time are not required to be included with the [R]epley" To Notification Of Missing Requirements.

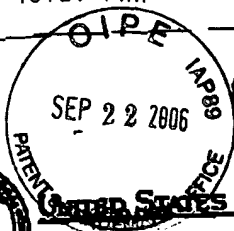
Please charge \$330.00 in payment of the surcharge (\$130.00) for late filing of the declaration set forth in 37 C.F.R. § 1.492(h) and the fee (\$200.00) for the Petition For Filing By Other Than All Inventors set forth in 37 C.F.R. § 1.17(g) to Deposit Account No. 50-3013. Please charge any other fees required in connection with this Reply to Deposit Account No. 50-3013. A duplicate copy of this Reply is enclosed.

Respectfully submitted,



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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 400 ...
 Alexandria, Virginia 22314-4400

U.S. APPLICATION NUMBER NO. 10/538,542	FIRST NAMED APPLICANT Max Aebi	ATTY. DOCKET NO. LUS-16099
INTERNATIONAL APPLICATION NO. PCT/CH02/00706		
LA. FILING DATE 12/17/2002	PRIORITY DATE	

JONES DAY
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 NEW YORK, NY 10017

CONFIRMATION NO. 3678
 371 FORMALITIES LETTER
 OC000000017510944

Date Mailed: 11/25/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/10/2005
- English Translation of the IA filed on 06/10/2005
- Copy of the International Search Report filed on 06/10/2005
- Copy of Annexes to the IPER filed on 06/10/2005
- Preliminary Amendments filed on 06/10/2005
- Information Disclosure Statements filed on 06/28/2005
- U.S. Basic National Fees filed on 06/10/2005
- Power of Attorney filed on 06/10/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO. 10/538,542	INTERNATIONAL APPLICATION NO. PCT/CH02/00706	ATTY. DOCKET NO. LUS-16099
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FORM PCT/DC/EO/905 (371 Formal Notice)